

REMARKS

In the outstanding official action, independent claim 1, and claims 2, 3 and 5 were rejected under 35 USC 102(b) as being anticipated by Kuwabara et al, with the remaining dependent claims being rejected under 35 USC 103(a) as being unpatentable over the cited references, all for the reasons of record.

In response, it is respectfully submitted that independent claim 1, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied references for the reasons detailed below.

More specifically, it is suggested in the Action that Kuwabara anticipates the instant invention by disclosing all of the elements of independent claim 1. On the contrary, however, it is respectfully submitted that several elements recited in claim 1 are neither shown nor suggested by Kuwabara.

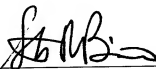
Thus, for example, it is suggested in the Action that Kuwabara shows combined electrical signals and the remaining uncombined electrical signals being transferred via the coupling means to the first electric circuit, as shown in Figs. 10-11 of the reference. On the contrary, however, Figs. 10 and 11 clearly show that all of the electrical signals transferred to the first electric circuit (50) are in fact combined electrical signals, since all of the signals (TE, FE, HF) are in fact combined signals, each generated from a plurality of signals from at least two of the photodetecting

sections A-D. Claim 1 is therefore clearly patentably distinguishable over the cited and applied reference in this regard.

Furthermore, claim 1 recites that in a test mode all or part of the electrical signals are separately processed by the second electronic circuit. The teaching in the reference suggested in the Action to anticipate this recitation relates to Fig. 11 and elements 68 and 69. However, a careful reading of the reference will reveal that the elements 68 and 69 are part of a circuit portion used to process tracking error signals, and do not pertain to electrical signals being separately processed by the second electronic circuit in a test mode, thus establishing a second clear patentable distinction between claim 1 and the reference.

In view of the foregoing remarks, it is respectfully submitted that independent claim 1 and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied references. Accordingly, allowance of the instant application is respectfully submitted to be justified at the present time, and favorable consideration is earnestly solicited.

Respectfully submitted,

By 
Steven R. Biren, Reg. No. 26,531
Attorney
(914) 333-9630